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C O N F I D E N T I A L SECTION 01 OF 02 BAKU 000624

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SUBJECT: AZERBAIJAN: ANOTHER YOUTH ACTIVIST ARRESTED

Classified By: Charge Donald Lu, Reasons 1.4 b and d.

11. (C) Summary: On August 3 Agasif Shakiroglu, the leader of a small youth group, was arrested and sentenced to one month of pre-trial detention for evading military service. According to Shakiroglu, he is not in breach of his military obligation and this arrest is an attempt by the GOAJ to silence his political activities. Shakiroglu's father says the MoD asked him for a bribe to keep his son out of military service, which the father refused to pay. Either Shakiroglu's political activity or the refusal to pay a bribe could be the reason for his arrest. The Embassy will continue to follow this case. End Summary.

12. (C) Agasif Shakiroglu is the head of a small youth group called "Hadaf" which translates to "target." This group has not figured prominently in any joint youth group activities, has not participated in any USG-sponsored training for youth groups, nor does it have a large presence on the internet, as many other youth groups do. According to local human rights defenders, however, Shakiroglu has participated in some of the recent meetings/protests organized by other youth groups, and thus is considered by them as an "active youth." On July 26 2008, Shakiroglu and several member of his group were detained by police for holding a picket outside the Central Election Commission, where they were demanding that the October 2008 presidential election be free and fair. Shakiroglu is also a member of the opposition Musavat Party.

13. (C) Shakiroglu is now 18 years old, and thus is eligible to be drafted for Azerbaijan's mandatory military service. According to prominent human rights defender Novella Jafaroglu, who spoke to Shakiroglu's father, Shakiroglu presented himself to the military recruitment office to fulfill his draft obligation, but was told to wait for a letter requesting his service. The father claims that after this meeting Ministry of Defense officials asked him for 1000 AZN (about \$1220) in order to keep his son out of the army, because the son is skinny and sickly. The father, however, both refused to pay (the family does not have the money to do so), and recorded the conversation on his mobile phone. (NOTE: Responsibility for military recruitment was recently transferred from the Military Commissariat to the MoD General Staff, but according to many Azerbaijanis this move resulting only in a change of who collects the bribes for either avoiding military service or receiving a good position. END NOTE.)

14. (C) On July 31 Shakiroglu also held a small press conference in which he criticized the military for a number of recent cases of food poisoning, suicides, hazing of recruits and murders within the ranks. These comments were

posted on a small website mia.az, whose name translates to "Independent News Agency." On August 4, after Shakiyoglu's arrest had been widely report, poloff found that this article had been viewed only 22 times, indicating that the story had not made a big impact in the Azerbaijani community. (NOTE: The subject of health and safety conditions within the military did receive a great deal of local attention after several hundred soldiers were treated on May 26 for food poisoning, and news reports of hazing incidents were frequent over the past six months. END NOTE.)

15. (C) On August 3 at 6 a.m. Shakiyoglu was arrested at his home in Baku, and taken to the Narimanov District Police Station #18, then to the Narimanov District Prosecutor's Office, and by 5:30 p.m. on to the Narimanov District Court. After a closed hearing, at 6:30 p.m. Shakiyoglu was sentenced to one month pre-trial detention under article 321.1 of the Criminal Code, which relates to evading his military service. Local reporters were able to talk with Shakiyoglu at the court house, where he claimed the sentence was punishment for his July 31 comments, and another step by the GOAJ to scare young people away from socio-political activity. In an August 4 meeting at the Embassy, three prominent human rights defenders agreed with this characterization.

COMMENT

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16. (C) While it is possible that Shakiyoglu's arrest is another instance of the GOAJ trying to silence politically active youth, it is equally possible that the son was

BAKU 00000624 002 OF 002

arrested because the father would not pay the bribe. These bribes are a good source of income for the MoD, and those who do not play by the rules are not normally treated well. Prosecutions for avoiding military service are rare, however, and doing so is a particularly potent form of silencing active youth, as many young people have paid bribes in order to avoid military service. These young people, particularly those with good jobs and families that have something to lose, are likely to fear a similar sentence, and therefore avoid political activity in the lead up to next year's parliamentary elections. The Embassy will continue to follow this case.

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